

ORDER :
This motion is denied
as moot.
John Bryant,
USMJ

CASE NO.: 3:12-00752
JUDGE NIXON
MAGISTRATE JUDGE BRYANT

The United States of America Carolyn W. Colvin, Acting Commissioner of Social Security, hereby moves for a stay of all proceedings in the above-captioned case.

Absent an appropriation, Department of Justice attorneys are prohibited from working, even on a voluntary basis, except in very limited circumstances. These include “emergencies involving the safety of human life or the protection of property,” 31 U.S.C. § 1342, or when Department attorneys have express legal authority to continue working such as by court order. If the Court denies this motion for a stay, the United States Attorney’s Office will comply with the Court’s order and staff the case appropriately to comply with the Court’s order.

1 Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should, therefore, be substituted for Commissioner Michael J. Astrue as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).